

Source: City of Morgan Hill (2010).

- **ULL.** The ULL defines the ultimate limits of City urbanization beyond the 20-year timeframe of the UGB. Currently, the ULL is defined around the Morgan Hill city limits, with the exception of the southern SEQ Area where there is a gap in the boundary line. As part of the project, the gap in the ULL boundary would be closed, encompassing approximately 840 acres of the SEQ Area. As shown on Exhibit 2-10, approximately 329 acres of the 840 acres added to the ULL boundary will remain in the unincorporated County and continue to be zoned Exclusive Ag-20 acre minimum under the jurisdiction of the County of Santa Clara. This 329-acre area is located within the proposed Agricultural Priority Area described in Subsection 2.3.1, above, and illustrated in Exhibit 2-9.

Table 2-2: Acreages for Proposed Boundaries Adjustments

City Boundary Type	Approximate Acreages
City Limits	759
Urban Service Area	305
Urban Growth Boundary	659
Urban Limit Line	840
Note: The above areas overlap and are not additive. They do not include the 48 acres of public roadways within the SEQ Area. Source: City of Morgan Hill, 2011.	

As illustrated on Exhibit 2-10 above, the city limits, USA and UGB areas would be coterminous along the western boundary. The project does not include modification of the City's SOI. The extension of city limits, USA, UGB, and ULL would occur within the bounds of the City's existing SOI. City regulatory policies and definitions specifically related to the USA, ULL, and UGB would be amended to accommodate areas slated for annexation to the City but subject to restrictions against extending all or some urban services. Specifically, the General Plan policies and actions listed below would be amended as shown in Table 2-3. A detailed discussion regarding the proposed text amendments is provided in Section 3.9, Land Use of this Draft EIR.

Table 2-3: General Plan Text Amendments

General Plan Element	Existing General Plan Text	Proposed Text Amendment
Community Development	Policy 2c: Consider land within or adjacent to the city as available for urban development only when it is included within the Urban Service Area and Urban Growth Boundary and can be developed in a manner that will be cost-effective to the City.	Consider land within or adjacent to the city as available for urban development only when it is included within the Urban Service Area and Urban Growth Boundary, <i>or within the city limits</i> , and can be developed in a manner that will be cost-effective to the City.

Table 2-3 (cont.): General Plan Text Amendments

General Plan Element	Existing General Plan Text	Proposed Text Amendment
	Action 2.1: Use the current Urban Service Area and Urban Growth boundaries to identify future urban development areas based on adequacy and availability of municipal services.	Use the current Urban Service Area and Urban Growth boundaries, <i>or the city limit line</i> , to identify future urban development areas based on adequacy and availability of municipal services.
	Policy 3e: The Urban Limit Line should be continuous around the City and located outside of or coterminous with the city	The Urban Limit Line should be continuous around the City and located outside of or coterminous with the city
	limits and Urban Growth Boundary. Greenbelt areas should be located outside of the ULL. The ULL may be located within the city limits so that parks or other incorporated, City-designated open space land at the fringe of the community may be included within the Greenbelt.	limits and Urban Growth Boundary. Greenbelt areas should be located outside of the ULL. The ULL may be located within the city limits so that parks, <i>agricultural lands</i> , or other incorporated, City-designated open space land at the fringe of the community may be included within the Greenbelt.
	Policy 20b: Septic systems should be used only for low-intensity uses where they will not have a negative impact on the environment.	Septic systems should be used <i>only</i> for low-intensity uses <i>or other uses that</i> where they will not have a negative impact on the environment. <i>Areas annexed into the city outside the urban service area shall be precluded from making application for inclusion in the urban service area in the future.</i>
	<u>Urban Services Extensions</u> The City of Morgan Hill shall grant no new extensions of urban services for residences beyond its Urban Service Area except in the event that 1) Morgan Hill has entered into a mutual aid or reciprocal emergency agreement for police, fire, or other emergency services to be provided by City facilities on County land; or 2) an owner of an existing development requests an extension due to the failure of an existing septic system or well and the City Council makes a finding that denial of services to that development would have a direct adverse impact on the public health and safety.	The City of Morgan Hill shall grant no new extensions of urban services for residences beyond its Urban Service Area <i>or city limits</i> except in the event that 1) Morgan Hill has entered into a mutual aid or reciprocal emergency agreement for police, fire, or other emergency services to be provided by City facilities on County land; or 2) an owner of an existing development requests an extension due to the failure of an existing septic system or well and the City Council makes a finding that denial of services to that development would have a direct adverse impact on the public health and safety.
Open Space and Conservation	Policy 2o: The land uses appropriate within a greenbelt, might include: a) low-density residential development on lots 10 acres or more in size; b) public parks and recreational areas; c) privately operated recreation areas (e.g., golf courses and riding stables); and, d) agriculture. (SCJAP 16.16)	The land uses appropriate within a greenbelt, might include: a) low-density residential development on lots 10 acres or more in size; b) public parks and recreational areas; c) privately operated recreation areas (e.g., golf courses and riding stables); and, d) agriculture. (SCJAP 16.16) <i>More restrictive uses within a greenbelt may be required if part of an agricultural conservation easement.</i>

Table 2-3 (cont.): General Plan Text Amendments

General Plan Element	Existing General Plan Text	Proposed Text Amendment
Regional Coordination	Policy 1I: Urban growth should occur in an orderly and contiguous pattern, within designated urban service areas and encouraging infill of vacant urban land.	Urban growth should occur in an orderly and contiguous pattern, within designated urban service areas <i>or city limits</i> and encouraging infill of vacant urban land.
	Policy 1m: Base expansion of urban service areas and annexations on the General Plan, consistent with the City's schedules for development and extension of services.	Base expansion of urban service areas and annexations on the General Plan consistent with the City's schedules for development and extension of services, <i>and as needed to allow uses with unique size and location requirements that cannot be accommodated within existing city limits.</i>

The term "urban services" is not defined by the General Plan. However, the General Plan defines the Urban Service Area as follows:

Urban Service Area

The area within the Urban Growth Boundary where utilities such as gas, water, sewer, and electricity, and public services such as police, fire, schools, and parks and recreation are and will be provided.

The General Plan defines Sphere of Influence as follows:

Sphere of Influence

The possible ultimate physical boundaries, service area or area of influence of the City, as determined by LAFCO. Not all land within the Sphere of Influence is intended for future urbanization. Some areas within the Sphere may receive some, but not full urban services, by the City. All land within the Sphere bears relation to the City's planning activities.

The 'Urban Services Extensions' text listed in Table 2-3 is contained in the General Plan and codified in the Municipal Code. The text is taken directly from the voter-approved initiative that established the City's Residential Development Control System (RDCS). The RDCS establishes a Morgan Hill population cap of 48,000 persons for the Year 2020, and will sunset in 2020. Because the text was approved by the voters, any amendments proposed prior to Year 2020 including those identified in Table 2-3 and Table 2-4, would also require voter approval.

The existing 'Urban Services Extensions' language precludes the City from extending any urban services (i.e., water, wastewater, stormwater, police and fire) to residential uses outside of the City's USA boundary. As described in greater detail under the Chiala Planned Development discussion,

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approximately 454 acres of the SEQ Area are proposed to be annexed into the City outside of the USA boundary. The 454 acres includes 67 acres of existing residential lots subdivided in the unincorporated County plus 107 acres within the Chiala Planned Development that would allow for up to 38 new residential units. A private water company and septic systems are proposed to serve the 454-acre area; however, City police and fire services would be required once the area is annexed into the City. Because the existing RDCS restriction prevents the City from extending any urban services (including police and fire) to residential uses outside the USA whether new or existing, the 454-acre area could not annex into the City unless one of three scenarios occur:

1. The Morgan Hill voters approve a ballot measure to amend the Urban Services Extensions provision to preclude the extension of urban services beyond the Morgan Hill USA or city limits (as opposed to just the USA), as identified in Table 2-3 and Table 2-4; or
2. RDCS sunsets in Year 2020; or
3. The 454-acre is included in the USA prior to annexation.

Table 2-4 identifies the Morgan Hill Zoning Code sections that would also be amended as part of the proposed project.

Table 2-4: Zoning Code Text Amendments

Zoning Chapter	Existing Zoning Code Text	Proposed Text Amendment
Open Space	Section 18.080.060.E: Construction of dwellings for which conditional use permits are required shall only be permitted if the proposed dwelling units shall be served by public sewers, public water, city fire and police services, and acceptable access facilities. An exception to the public sewer requirement shall be allowed for secondary dwellings where a private septic tank disposal system has been approved for the primary dwelling on the same parcel of land.	Construction of dwellings for which conditional use permits are required shall only be permitted only if the proposed dwelling units shall be are served by public sewers, public water, city fire and police services, and acceptable access facilities. An e Exceptions to the public sewer and public water requirements shall be allowed for areas that were annexed into the City outside the urban service area with approved private water and septic systems, and for secondary dwellings where a private septic tank disposal system has been approved for the primary dwelling on the same parcel of land.
Residential Development Control System	Section 18.78.080: The city shall grant no new extensions of urban services for residences beyond its urban service area except in the event that: A. Morgan Hill has entered into a mutual aid or reciprocal emergency agreement for police, fire or other emergency services to be provided by city facilities on county land; or B.	The city shall grant no new extensions of urban services for residences beyond its urban service area or city limits except in the event that: A. Morgan Hill has entered into a mutual aid or reciprocal emergency agreement for police, fire or other emergency services to be provided by city facilities on county land; or B.

Table 2-4 (cont.): Zoning Code Text Amendments

Zoning Chapter	Existing Zoning Code Text	Proposed Text Amendment
	An owner of an existing development requests an extension due to the failure of an existing septic system or well and the city council makes a finding that denial of services to that development would have a direct adverse impact on the public health and safety.	An owner of an existing development requests an extension due to the failure of an existing septic system or well and the city council makes a finding that denial of services to that development would have a direct adverse impact on the public health and safety.

2.3.3 - Sports-Recreation-Leisure General Plan and Zoning Code Amendments

The project would involve establishing a new Sports-Recreation-Leisure (SRL) General Plan Land Use designation and zoning classification, and implementing the new SRL land use designation and zoning district over a portion of the SEQ Area. The purpose of the SRL general plan and zoning designations is to allow a variety of private commercial, retail, and public or quasi-public land sports, recreation, and leisure uses.

General Plan Amendment

The proposed amendments to the City's General Plan land use designations are shown in Exhibit 2-11a. The following is the text of the proposed General Plan land use designation:

“SPORTS-RECREATION-LEISURE” The Sports-Recreation-Leisure general plan land use designation applies to acreage located in the “Southeast Quadrant” area of Morgan Hill, and is intended to allow a wide range of sports-recreation-leisure themed uses that are private commercial, retail, and/or public/quasi-public, at a scale that creates a destination area for both regional and local users, and offers a high-quality, attractive, health-oriented, fun destination for regional and local users in a manner that supports the city's economic development, city identity and greenbelt goals. An additional goal is to support local agriculture and sustainable economic development, providing jobs for local residents and markets for locally produced goods.

Zoning Code Amendment

The proposed SRL zoning areas are depicted on Exhibit 2-11b and total approximately 251 acres in area. It should be noted that sports, recreation and leisure-type uses are also proposed within the Chiala Planned Development that are not included in the 251-acre figure. The 251 acres accounts only for those lands proposed to be designated SRL in the General Plan Land Use Diagram and Zoning Map.

The proposed SRL zoning district would include two subdistricts: Subdistrict A and Subdistrict B (see Exhibit 2-11b).

Project Description

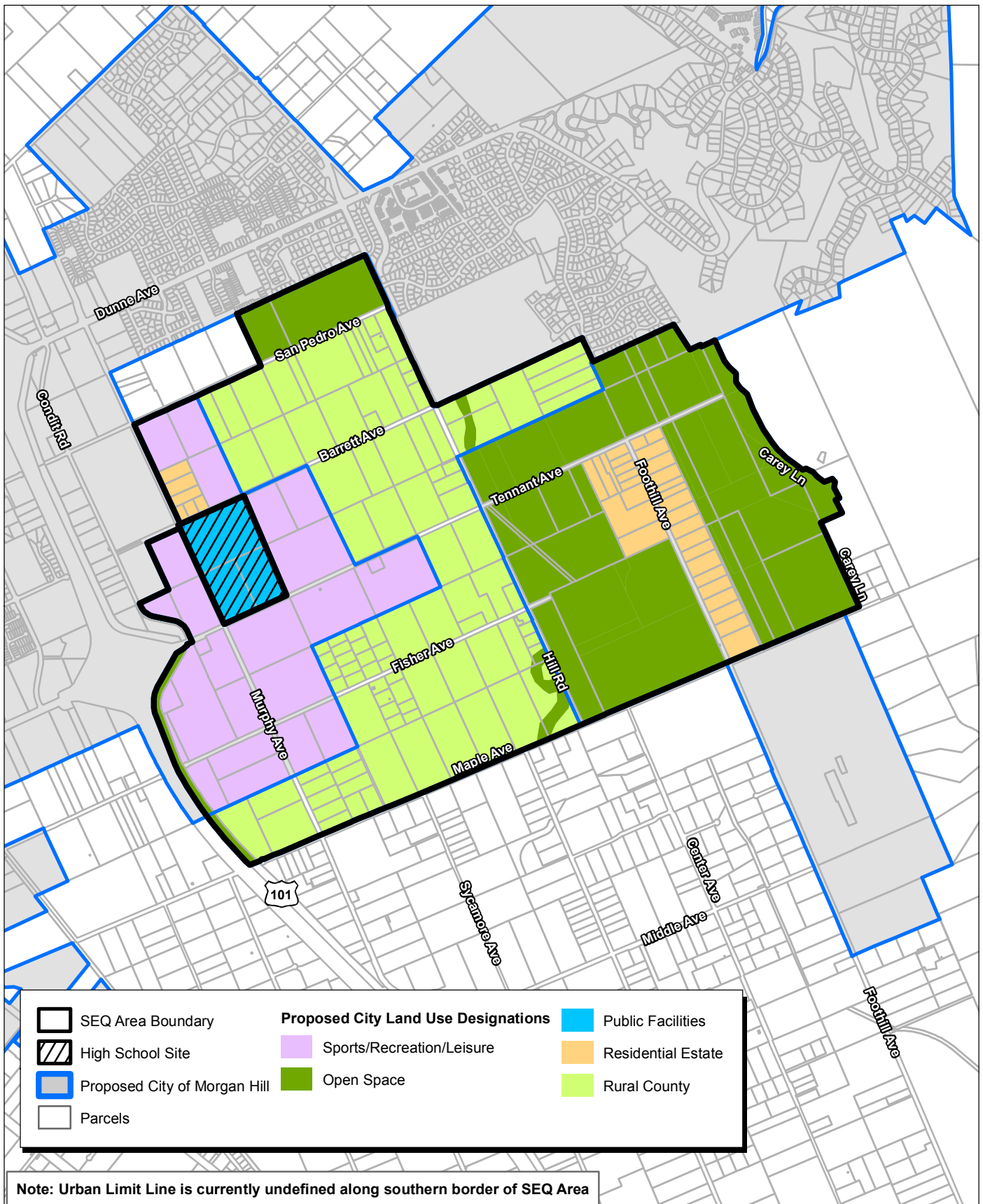
- **Subdistrict A** would include more land-extensive conditional uses, including but not limited to adventure sports/facilities, arts and crafts, batting cages, equestrian centers, farmers markets, and indoor/outdoor sports centers. Approximately 142 acres will have an SRL Subdistrict A designation.
- **Subdistrict B** would be located immediately adjacent to Highway 101 and would conditionally permit the above-referenced uses, as well as more commercially oriented uses such as gas stations, restaurants, motels/hotels, and grandstands/stadiums. Additionally, two drive-thru uses (restaurants or gas stations) would be conditionally permitted within Subdistrict B. A total of 109 acres are proposed to be designated SRL Subdistrict B.

The following uses would be permitted by right in the SRL zoning:

- Existing single family residential dwelling on a legal lot of record legally established in the County prior to the effective date of the City's SRL zoning district.
- Agricultural and open space uses, including but not limited to vineyards, wineries, orchards, row crops, and sale of agricultural products grown onsite.

The following uses would be prohibited in the SRL zoning:

- New residential land uses
- Bowling alleys
- Pool and billiards halls
- Campgrounds
- Card Clubs, casinos, and gambling facilities
- Cinemas and movie theaters
- Day Spas, barbershops, and hair salons, unless ancillary to hotel/motel/lodging
- Golf courses in excess of three holes
- Health and fitness clubs and indoor recreation centers oriented to local residents; however, fitness and exercise facilities that are ancillary to a primary destination-oriented sports/recreation/leisure use may be conditionally allowed
- Indoor and outdoor swimming pools, unless associated with existing private residence or hotel/motel/lodging use
- Outdoor race tracks for cars, go-karts, or similar use
- Recreational vehicle parks



Source: City of Morgan Hill (2010).



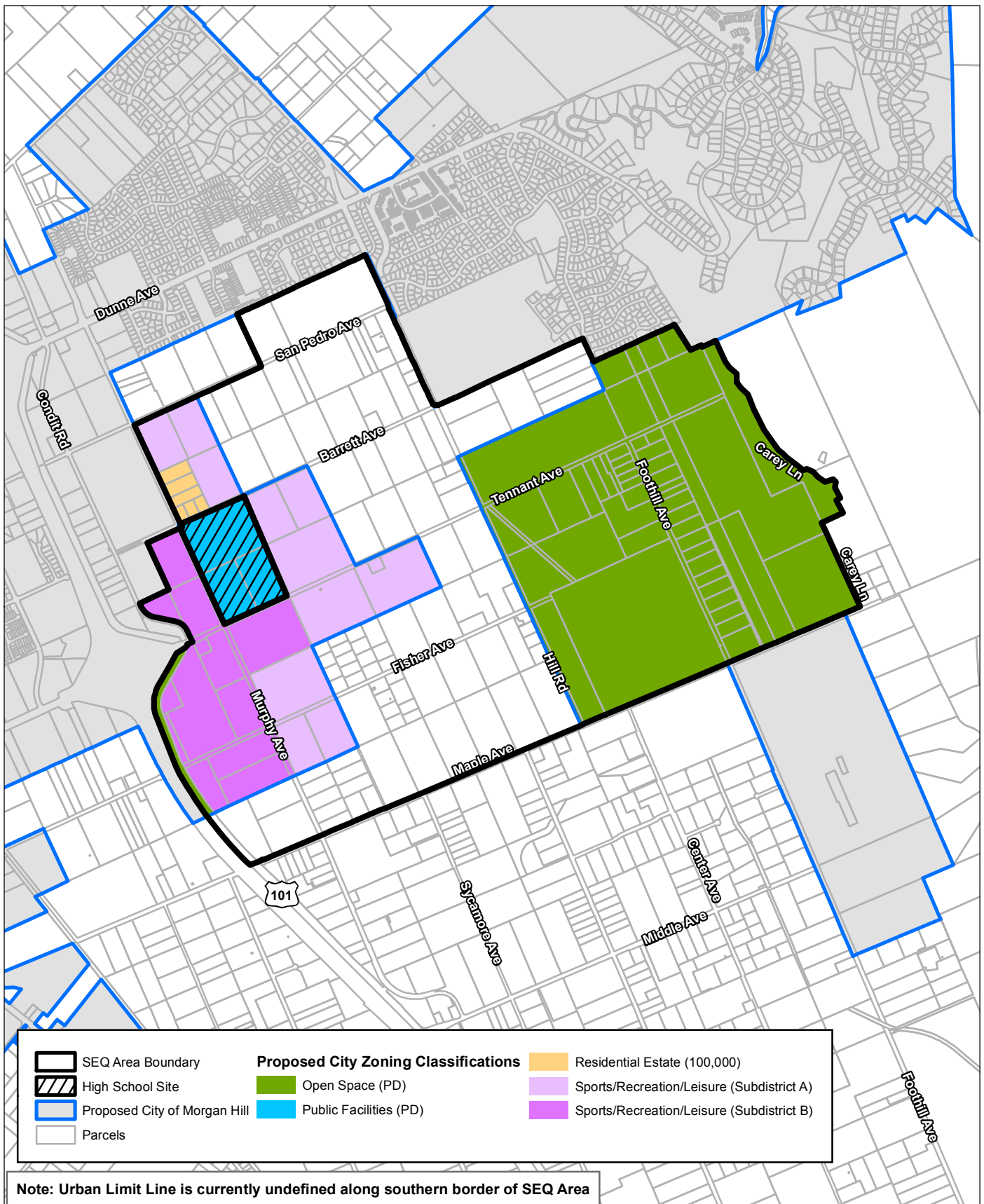
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Exhibit 2-11a Proposed City General Plan Land Use Designations

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Source: City of Morgan Hill (2010).



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Exhibit 2-11b Proposed City Zoning Designations

CITY OF MORGAN HILL

A copy of the proposed SRL Zoning District Chapter is provided in Appendix L.

2.3.4 - Other City General Plan Land Use Redesignations and Prezoning Classifications

The City's General Plan land use designations guide the development of future growth. Table 2-1 summarizes proposed City General Plan land use designations within the SEQ Area, and Exhibit 2-11a shows the proposed designations. As listed in Table 2-5, 37 percent of the SEQ Area would remain Rural County, followed by 34 percent designated as Open Space and 20 percent designated as Sports-Recreation-Leisure. The balance of the SEQ Area would be designated Residential Estate and Public Facilities. The areas identified as "Rural County" include greenbelt and other lands that will remain in the unincorporated County and continue to be zoned Exclusive Ag-20 acre minimum under the jurisdiction of the County of Santa Clara.

The Residential Estate designation for the 76 acres identified in Table 2-5 and Exhibit 2-11a is intended to recognize and acknowledge the existing residential subdivisions established in the unincorporated County. These existing residential lots could not be subdivided any further, and therefore, would not result in any new residential development. The only new residential development anticipated within the entire 1,290-acre SEQ Area is within the eastern portion of the SEQ. As described in further detail in the Chiala Planned Development discussion, the number of new residential units proposed would be equal to the number of existing lots of record where development rights are being transferred and clustered closer to urbanized areas of the City, resulting in no more than 38 new residential units.

Table 2-5: Proposed City Land Use Designations and Acreages

Land Use Category	Acreage*	Percent of SEQ Area
Sports-Recreation Leisure	251	20%
Public Facilities	38	3%
Residential Estate	76	6%
Open Space (includes existing open space acreage along Foothill Road)	445	34%
Rural County	480	37%
Total All Land Uses	1,290	100%
Note: All acreages are approximate and do not include the 48 acres of public roadways. Source: City of Morgan Hill, 2011.		

Table 2-6 summarizes proposed City zoning designations within the SEQ Area, which total approximately 759 acres (reflecting the extent of acreage proposed for annexation, excluding public roadways). Exhibit 2-11b shows the proposed zoning classifications. As listed in the table, 61 percent of the SEQ Area would be zoned Open Space, followed by 33 percent Sports-Recreation-

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Leisure, in accordance with the proposed General Plan designations. (The difference in acreage between Table 2-4 and 2-5 results from zoning calculations that include roadways, while the general plan land use designations exclude roadways.) The High School site would be zoned public facilities as well as a small area of Residential Estate.

Table 2-6: Proposed City Zoning Designations and Acreages

Zoning Classification	Acreage*	Percent of SEQ Area
Sports-Recreation-Leisure	251	33%
Public Facilities	38	5%
Residential Estate	9	1%
Open Space (includes existing open space acreage along Foothill Road)	461	61%
Total All Land Uses	759	100%
SEQ Lands remaining under County Jurisdiction	531	—
Total of SEQ Area	1,290	—
Note: All acreages are approximate and do not include 48 acres of public roadways. Source: City of Morgan Hill, 2011.		

2.3.5 - Programmatic Project Applications

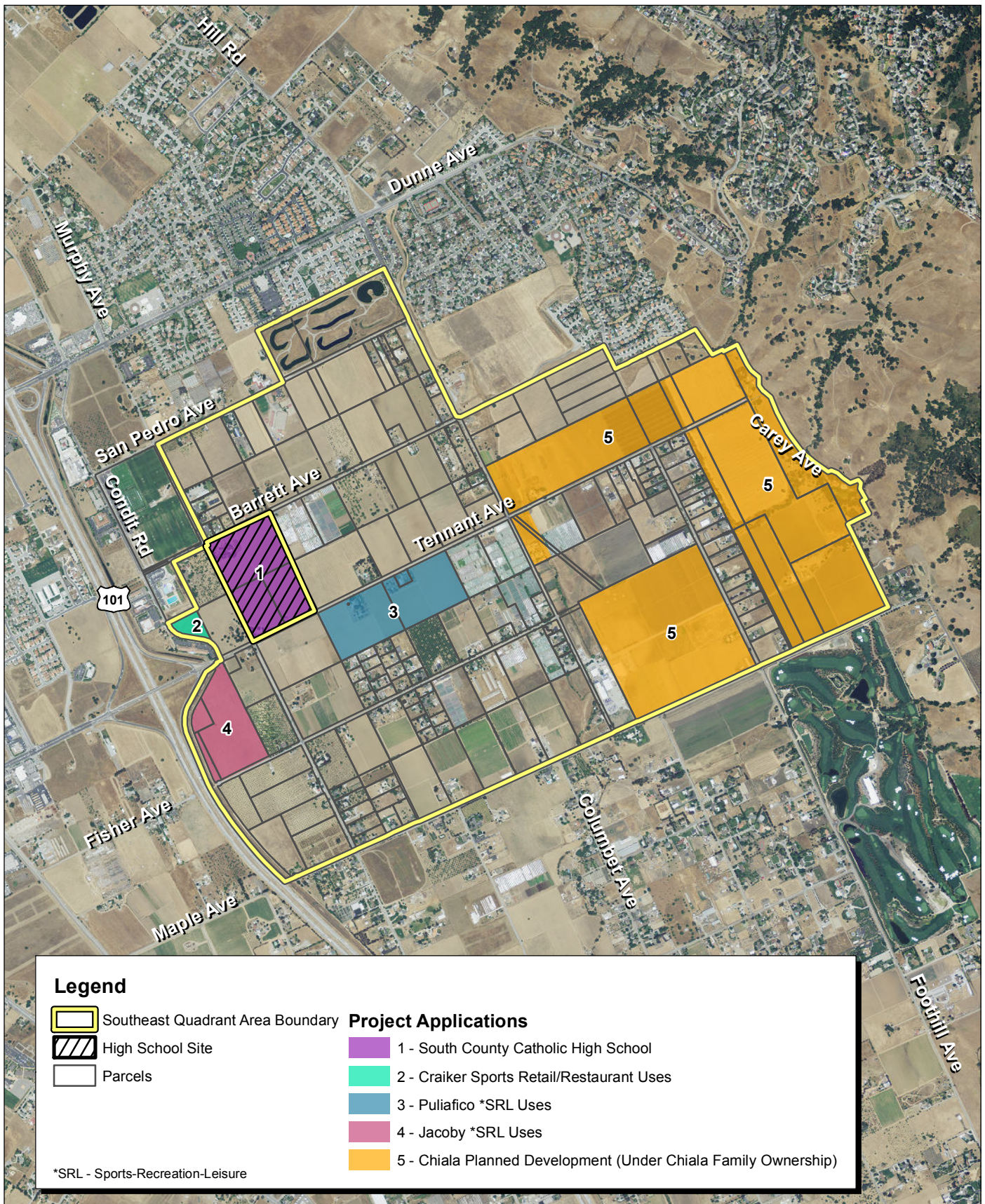
The following four project applications are analyzed programmatically in this Draft EIR. The names reflect the applicant for each project and the file name assigned to each application when it was submitted to the City for review. Exhibit 2-12 depicts the location of each application. As previously stated, project-level CEQA review will occur when detailed land use proposals are submitted for discretionary approval. There is currently no specific schedule or anticipated date for submittal of any of these programmatic project applications.

Craiker Sports Retail/Restaurant Uses

This project involves developing 40,000 square feet of sports retail and a 3,000-square-foot, sports-themed, sit-down restaurant on 4 acres, located immediately south of the City of Morgan Hill Aquatics Center at the northeastern corner of Condit Road and Tennant Avenue (APN 817-13-008).

Puliafico Sports-Recreation-Leisure Uses

This project area is located on 38 acres along the south side of Tennant Avenue and is owned by the Puliafico Family. The applicants propose to develop their land with sports-recreation-leisure uses, Subdistrict A. Uses may include outdoor sports fields, possible indoor facility to house recreational uses such as indoor soccer, batting cages, volleyball courts and a ropes challenge course, and medical offices for minor sports-related injuries (APNs 817-16-002 through 817-16-005).



Source: NAIP Santa Clara County, CA (2009)



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Exhibit 2-12 Project Applications

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Jacoby Sports-Recreation-Leisure Uses

The Jacoby project includes 26 acres located south of Tennant Avenue and east of Highway 101. Proposed land uses may include commercial recreation retail and open fields for recreation. The site is proposed to be designated SRL Subdistrict B (APNs 817-14-004, 817-14-005, and 817-14-009). For the purposes of this Draft EIR, it is assumed that half this site will be developed as commercial recreation/retail (13 acres) and half will be developed as sports fields (13 acres).

Chiala Planned Development

The Chiala Family owns approximately 307 acres in the easternmost portion of the SEQ Area. The Chiala Family proposes to establish an Open Space zoning designation with a Planned Development overlay zone across the 307 acres. The Open Space (PD) prezoning would also extend over the immediately adjacent properties, as shown on Exhibit 2-11b. The Planned Development overlay would allow for a variety of uses consistent with the underlying Open Space zoning designation, including agriculture, sports-recreation-leisure uses, open space, and large-lot residential.

Development of the Chiala Property will require approval of a precise plan for the entire planned development, including project-level environmental clearance. Anticipated land uses include approximately 86 acres of sports-recreation-leisure related uses, 107 acres of residential estate-sized lots including the approximate 31-acre historic homesite that will remain unchanged, and 114 acres of agriculture-related uses. The Sports-Recreation-Leisure uses may include internationally sanctioned, professional-quality cricket grounds; polo fields; an equestrian facility; a culinary center; and small-scale visitor accommodations. The number of new residential units proposed within the Chiala Planned Development would be equal to the number of existing lots of record (up to 38 lots) within the 307-acre project area. Under current county regulations, each of these lots is permitted to be developed with a single-family home.

It should be noted that the area proposed within the Open Space (Planned Development) zone would be designated Open Space in the General Plan, with the exception of the existing residential lots along Foothill Avenue. These residential lots established under County jurisdiction would be designated Residential Estate on the General Plan Land Use Diagram, as shown on Exhibit 2-11a, to recognize and acknowledge the existing residential uses. The existing residential lots could not subdivide further under the proposed Open Space (Planned Development) prezoning.

The entire Chiala property and immediate surrounding lands within the proposed Open Space (Planned Development) zone are proposed to be included within the city limits. However, the properties would not be included within the City's USA boundary. The Chiala Family proposes to establish a private water company to serve the entire planned development and remain on septic systems. The purpose for annexing into the City but remaining outside the USA boundary is to allow for the creation of larger open space/agricultural areas through the clustering of a limited number of residential units, without burdening the City of Morgan Hill with additional water and sewer demand.

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The Chiala family proposes to transfer development rights off existing lots of record and create a cluster of rural residential home sites closer to existing urbanized areas of the City.

This would allow for the creation of larger open space/agricultural areas at the City's outer edges where an open space/agricultural greenbelt buffer is envisioned. Restrictions recorded on the property title would preclude the new residential lots from being included in the Morgan Hill USA in the future.

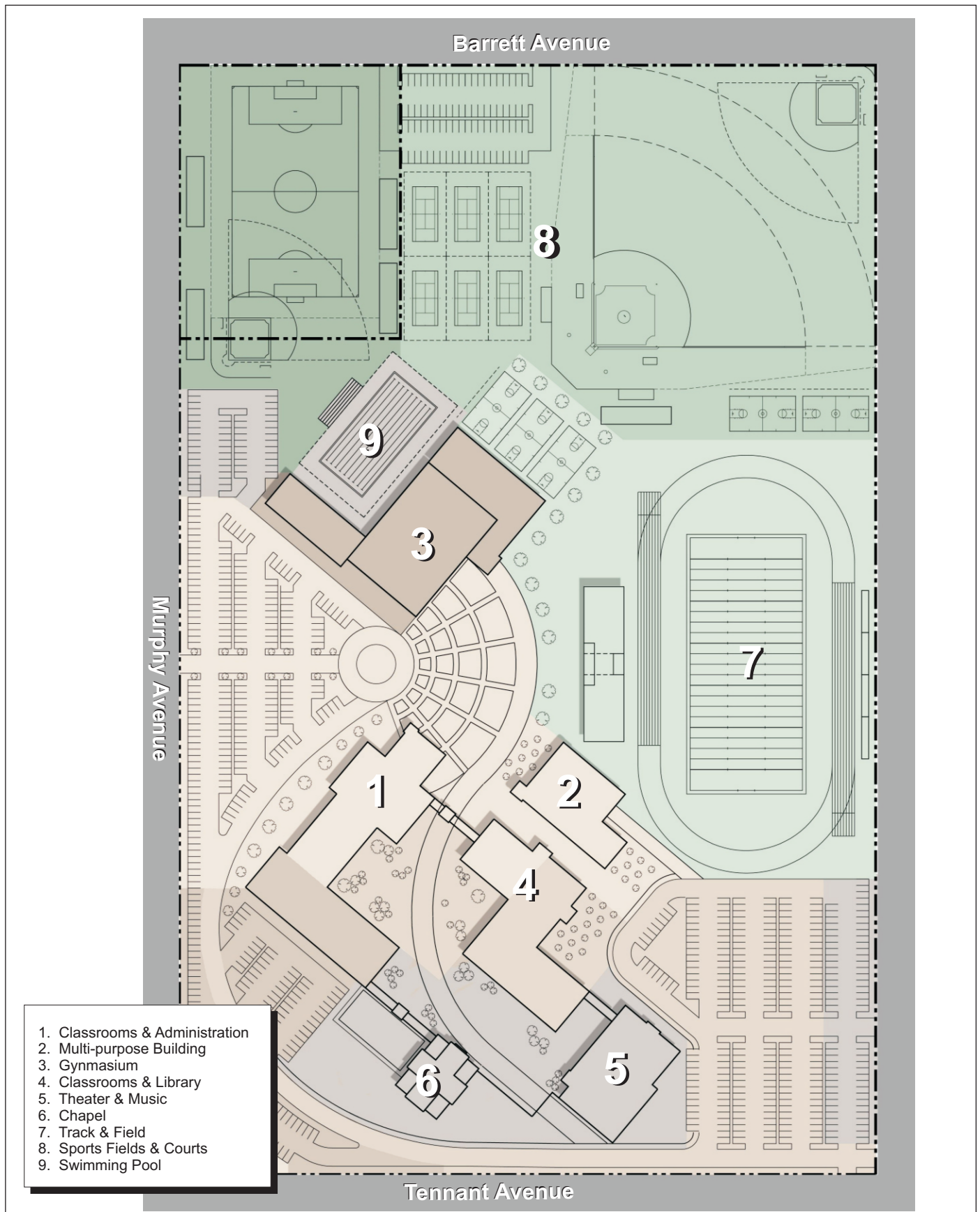
The Chiala application encompasses APNs 817-20-008, 817-20-010, 817-20-032, 817-20-033, 817-21-011, 817-21-012, 817-21-026, and a portion of 817-21-027, 817-22-001, 817-22-021, 817-22-022 through -025, and 817-23-007. The APNs of the immediate surrounding area also proposed within the Open Space (Planned Development) zone include APNs 817-20-034 and -037 through -039; 817-21-005, -008, -010, -013, -016 through -025, and -027 through -029; 817-22-005 through -019, and 817-22-026 through -029.

2.4 - High School (Project Level)

The High School project involves development of a private high school (grades 9 through 12) on 38 acres located north of Tennant Avenue and east of Murphy Avenue. The project is proposed generally in three phases to accommodate the student population growth, with additional components such as the chapel constructed as funding permits.

Phase 1 includes construction of classrooms to accommodate 600 students, as well as a multi-purpose building and administration space. Phases 2 and 3 provide additional classroom space for a total student population of 1,600 at full buildout. Related improvements including a gymnasium, library, theater, music room, chapel, track and field facility, sport fields, and baseball/basketball/tennis courts would be constructed as funding permits.

At complete buildout, the proposed buildings would encompass approximately 210,441 square feet. Table 2-7 contains the project building components and anticipated number of students and staff. Exhibit 2-13 shows the conceptual site plan and Exhibit 2-14 shows the area proposed within Phase 1. The High School would be built to California Green Building Standards or LEED Standards. Vehicular access will be provided through Murphy Avenue as the primary entrance. Access from Tennant Avenue will be developed during Phase 2, and the Barrett Avenue entrance will be constructed when the sports fields are built out.



Source: South County Catholic High School (2011)



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Exhibit 2-13 High School Project Site Plan

